

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Lajoel Theodore Rouse,	)	C/A No.: 6:05-cr-01173-GRA-1
	)	C/A No.: 6:08-cv-70062-GRA
Petitioner,	)	
	)	
v.	)	ORDER
	)	(Written Opinion)
United States of America,	)	
	)	
Respondent.	)	
	)	

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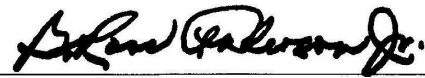
This matter comes before the Court upon the petitioner's motion for relief from final judgement. The petitioner requests that this Court "vacate it's judgment entered in a § 2255 proceeding on June 10th, 2008 denying all claims" under Rules 60(b) (1), (b)(4), and (b)(6). The petitioner's original motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, was filed on May 19, 2008. On June 10, 2008, this Court dismissed that motion. The petitioner appealed. The Fourth Circuit dismissed the appeal because the petitioner failed to meet the standard for a certificate of appealability. On June 15, 2009, the petitioner filed the pending motion.

Plaintiff brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982).

After a review of the record, this Court finds no cause to set aside its June 10,

2008 Order. Additionally the Court finds that the petitioner's motion was not made within a reasonable time as required by Rule 60(c). As the petitioner waited a year to file this motion, and there is no other factor that would make this delay reasonable, the Court finds the motion untimely.

For the foregoing reasons, the Petitioner's motion to reconsider is DENIED.  
IT IS SO ORDERED.



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G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina  
June 17, 2009

#### NOTICE OF RIGHT TO APPEAL

Petitioner is hereby notified that he has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified within Rule 4, will waive the right to appeal.